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## **MEETING MINUTES DREDGE MANAGEMENT TASK FORCE (DMTF) - MAY 5, 2004**

The meeting was held on Wednesday May 5, 2004 from 1:10 to 2:30 PM, at NH Fish and Game, Region 3 in Durham, NH.

Chairman Mazerski introduced a new member. He is Brian Miller who is representing Rep. Bradley, from the First Congressional district. Miller asked that members contact him either via email or phone with any questions.

**1. Review of Previous Minutes (Meeting 2/19/04).** Chairman asked if there were any corrections. Minutes were approved. No further discussion.

### **Discussion items:**

**2. River St. Cut – Seabrook (Section 227):** COE (Duban Montoya) said there are a few processes left to complete, one of which is for COE headquarters to approve the MOA – and for him to send it to the PDA for execution. The next process is for the PDA to secure the signatures of the abutters on agreements for (contractor) access. Seabrook had executed the town's part of the agreement at the end of April. Once PDA has those signatures in hand, PDA will sign a COE document stating that all the real estate has been secured. Montoya would like to write the contract in July or August so as to facilitate an October construction start and dredging in November. The state wants to dredge the state anchorage, following COE work completion. DES (Frank Richardson) said that because of the earlier (Oct) start Fish and Game needs to be notified as well as local interests such as party boats and tourism officials. NMFS (Mike Johnson) asked if the work could be sequenced so that upland access work is done in September and in-water activity happens in October because of the presence of winter flounder. Montoya said the specifications call for the sequence to start south to north but COE will advise the contractor. He stated it is going to take a month and a half to build the wall. Chair asked how much time the dredging will take. Montoya estimates it will take two months (Nov 04 – Jan 05) barring major problems. The staging area is the Fishermen's coop in Seabrook. In response to a query on how much material will be removed, Montoya predicted 30 thousand cubic yards a month. Chair asked Town of Seabrook (Suzanne Manzi), Marconi and Shattuck to let the Task Force know if any of the tourist related entities have any problems with this project. Marconi said he has notified all interested parties and Manzi said it doesn't interfere with Eastman's dock activities. They have not heard any negative comments from abutters.

Chair asked Marconi if the PDA is ready for the project. Marconi said he submitted the Town of Seabrook's document regarding the real estate issues to the PDA's legal representative and that the representative contacted the two remaining people who had not signed off. Marconi noted that the legalities are nearly complete.

Chair asked about the Operations & Maintenance Manual and Montoya said it is still in draft form and will not be codified until the project is completed. Chair asked if there are any other questions or comments. Montoya discussed the question about the dredging window with Johnson. Johnson wants to talk with Fish and Game, DES and his own staff about it and says the later the better. Johnson said he would talk to Todd Randall of COE and have him send an email to Montoya. Montoya stated that the environmental assessment and findings of no significant impact (FONSI) documents need to be amended and signed. Johnson agreed.

### **3. Sagamore Creek:**

COE (Mike Walsh) advised that the project's spoil disposal near shore is suitable. He also stated that he needs as much economic data as is available to justify the dredge project so he will continue to coordinate with PDA (Shattuck) about that. Chair asked COE regulatory (Rich Roach) about status of encroachments following the letter the section chief sent to marina owner Mr. Nadeau. COE has spoken to Mr. Nadeau to ask him to orient his docks to be outside the channel. Nadeau is considering it but claims the lobster traps and buoys are more of an obstruction than his docks and boats. Roach said the upper part of the creek is currently used for moorings and they would have to be permanently removed because there can be no moorings in the project area/channel. COE will map out the area of the moorings. Roach asked about a public access point 500' from the bridge. Chair asked whether COE could dredge to that access point though it is outside the channel. Roach said it is a local issue but could be wound into the plans. NMFS raised the issue of eelgrass; Walsh had nothing more to report on it. Dr. Fred Short (UNH Jackson Lab) mapped out locations of the eelgrass which will be part of the EA. NMFS asked if a contractor will be hired to do a survey; Walsh replied that an in-house surveyor is likely. Chair asked Walsh what are the significant hurdles to overcome regarding permitting and what is the target date for start if all goes well. Walsh said the dredging will not start this fall but may be able to start in 2006. Funding is still an issue; the project won't make the President's budget for FY '05. COE has done the sediment sampling and testing and has a suitability determination (for disposal). Chair stated that if after everything is in place and it appears the project is not going to make the funding cut, perhaps we would solicit assistance from our congressional delegation. DES (Richardson) asked if Wallis Sands State Beach has been determined to be a good disposal site. Walsh replied affirmatively and his earlier concerns about getting the construction equipment in and out are no longer a factor. In reply to Richardson's question on the volume of sand to be dredged, Walsh answered 7000 cubic yards.

#### **4. Cocheco River Dredging Planning**

Chairman Mazerski summarized a press release (see full text attached) dated April 21, 2004, sent to his office by Liz Chamberlain. Both senators in Washington met with COE reps in DC to express their commitment to the project; the release also discussed funding and the project's importance to the City of Dover. COE (Walsh) has developed a decision document that shows the logic behind the disposal option that they are using. Walsh hopes it will be sent to the Corps' (NY) division office for approval by May 7, 2004. With an approved decision document, he can send forward the MOA to headquarters and to the Secretary of the Army Civil Works for approval. The schedule is to have a final agreement between the city and the COE executed sometime in mid-July. Shortly after that COE would put out invitations to bid and award the contract in the September timeframe. Chair then asked DES-WM to speak about the permitting of the spoil cell. DES-WM (Mike Sills) gave a permitting report saying the permits are all approved and things are on schedule. He thanked the Task Force for the support without which he surmised that the project would not have reached this point. Chair asked for comment from the City of Dover; Dean Peschel said they are happy with the scheduled dredging start of November 15, 2004. He added that the spoil cell will be ready in Sept and that COE will execute a separate agreement with PSNH. Chair asked if the cell will be hooked up to the WWTP. Peschel said the de-watering will connect to the WWTP for treatment. He added PSNH is on board and anticipates dredging of the upper channel at their landing (outside of the navigation project) during the first year. Walsh confirmed the COE need to execute a separate agreement on the PSNH part of the dredging, but that it should be fairly straightforward. Chair asked what the target date is to execute that agreement. Walsh said they can't execute the second agreement until the first MOA is approved. The first MOA gives the COE the authority to execute the second one so it may be mid-July. Steve Bird from Dover said the city has recently received a letter from COE solidifying their support for the project. He will to set up a meeting with Mike Walsh to discuss the funding for the balance of the project.

#### **5. Other Business/Minor Projects**

- US Coast Guard station - Piscataqua River

The Coast Guard needs to dredge for better access for their vessels. COE (Roach) said he asked the engineer agent for the Coast Guard to go ahead with testing and the engineer sent out emails 4 May 04, with the testing protocol. They will do grain size analysis and if it is sand only, COE would propose to place the dredge materials nearshore at Wallis Sands. Discussion followed. Chair asked if DES has received the permit application. Dr. Richardson said he has not seen it yet. Chair asked if there will be any impact with the safety and security zone around the CG station; PDA indicated that dredging will improve the Coast Guard's necessary access.

- Comprehensive Dredge Spoil Disposal Study.

Chris Hatfield (COE contact) relayed the following update through the Chairman. Hatfield's scoping document is still under review in Concord, Mass. Hatfield said they are looking at a two step process where the State of New Hampshire and the COE will look at a particular site, agree on the quantity to be dredged for planning, look at an adjacent area for dewatering and temporary storage, and if the spoils must be removed from the site, look within the 50 mile range. The interested parties await the draft scoping document. Chair asked PDA/DPH (Marconi) if he wanted to talk about the issue of upland versus other disposal. Marconi said he understands that the appropriation for this project is restricted to upland disposal sites.

- Piscataqua River: Turning Basin

COE (Montoya) reviewed a meeting with DPH and a rep. from the river pilots in which they discussed potential gains from the COE widening of the turning basin at the north end of the river. COE set up a meeting with DPH, Sprague Energy and C3 for May 13<sup>th</sup> and the biggest topic on the agenda is to discuss ownership of the facilities at the northern end of the project. COE needs to have more than one single user or beneficiary of the dredging in order to justify the project. COE will seek an educated estimate from the companies as to vessel size or vessel changes planned in coming years that might add to the rationale for increase of the turning basin. There will need to be an economic analysis done to determine the benefit/cost ratio and a report called a "905-B" will be completed by August. Chair asked about the comment regarding other owners or other companies leasing space, does that include DPH? Montoya said yes.

- Seabrook/Hampton – Beach Nourishment from Feb 04 Dredge

Chair asked Suzanne Manzi (Seabrook) to give a report on the redistribution of the sand from the Feb 04 maintenance dredge between the communities of Seabrook and Hampton. Manzi said that shortly after the last task force meeting (Feb 19) the Public Works Departments of Hampton and Seabrook were able to remove the sand from the Yankee Fishermen's Coop. She showed photos of the operation. Because the beach area at Sun Valley is vulnerable to wave wash, 2/3 of the sand was placed there in a dense pattern. The remainder of the sand was distributed further south onto the northern part of Seabrook beach. There were a total of 6000 cu yards of sand trucked to the beaches. The sand was placed about 50' from the front of the homes and in some cases made into berms to reduce the wave action from storms. Pictures of the aftermath of a storm that occurred just after the placement of those berms made it clear that the placement was effective. The DPW will level it out again before Memorial Day, leaving a berm for beach nourishment. Ms Manzi chairs the Sun Valley/Seabrook Beach Management Plan which is working under a NH Coastal Program grant for beach management; she expects the plan to be completed by June 30, 2004. DES (Richardson) asked if the photo was taken near Hookset Street; Manzi said "Yes." Richardson suggested that the sand be brought down toward the water and smoothed out continued and noted that one property owner has had damage to his windows because of the wind blown sand. Manzi stated

there has been storm fencing put in place which has helped that problem and the dune in front of that house will be brought down.

- Simplex Shoal Planning

Chairman Mazerski introduced the COE Rep (Bill Kavanaugh) who explained that there is a small shoal that develops off the Simplex dock and migrates across the channel. The Corps has dredged this area several times over the history of the project and spoils typically involve sand and cobbles. The last two dredging projects removed 10,000 yards or less each. The spoil material was distributed *in river* which was thought to be the most cost effective and environmentally suitable decision. Chair said the PDA/DPH will pursue the permit as the sponsoring agency. This shoal was dredged in 2000 and planners are looking at the potential dredging of this shoal by the year 2007, coinciding with a 5 to 7 year cycle. COE, along with EPA and Fish and Wildlife Service and others, are looking at a long-term approval because this request comes up routinely cyclically. Fish and Game has suggested that if the dredge materials were disposed of out of river system the dredging would not have to be done as often. COE records show that there is not much difference whether the spoils are disposed of in river or off site. That COE information and data will be given to NMFS and F&G and they will meet again once the information is received about environmental species impact.

- EPA/COE RIM Manual

Chairman Mazerski said that the COE and EPA released the RIM (Regional Implementation Manual) in April. It is an evaluation of dredge materials proposed for disposal in New England waters. Members can get a copy of it by emailing Gail French at the COE at [gail.t.french@usace.army.mil](mailto:gail.t.french@usace.army.mil).

- COE Review Process Change

Chair informed the members that there will be increased scrutiny of dredging proposals in the future by COE. The basic message to the state agencies, cities and other participants is that we have to realize we are in a new era and budgetary restraints are reality. In the future, proposed projects will have to go before a national board (not just New England region) of review. The meaning is that all task force participants will be expected to assist the Army and give the best possible analysis of economic impacts to our area so that COE reviewers can make an informed decision.

- Portsmouth WWTF Outfall

Under new other business, COE (Roach) stated that the City of Portsmouth is under orders to upgrade their sewage treatment plant and to improve their diffusion into the Piscataqua River. Their proposal is to extend the outfall pipe further into the river and under the federal navigation project. Roach has advised the city to hold a meeting of the users of the river because of the potential for construction to obstruct river traffic. The city will hold the meeting in May or June. After that, public notice will be made to solicit

comments. Portsmouth will also meet with DES to discuss the permit application. DPH (Marconi) said construction would need to be coordinated with the Coast Guard so that large, commercial river traffic is not restricted. Roach identified Peter Rice from the city as the contact person; he is organizing the meeting with interested parties including the State of Maine and the engineer hired for the project.

Chairman Mazerski set the date for the next meeting on June 30, 2004, 1 PM, same location.

Meeting Adjourned 2:30 PM

Attachment 1

Attendance

Wednesday April 21, 2004

## **GREGG, SUNUNU REPRESENTATIVES HEAR ARMY CORPS OF ENGINEERS COMMITMENT TO COCHECO RIVER DREDGING PROJECT**

### **New Hampshire Senators Show Strong Support for Project**

WASHINGTON- U.S. Senators Judd Gregg and John E. Sununu today showed their strong support for bringing the Cocheco River dredging project to fruition as representatives met with Fred Caver, Deputy Director for Civil Works at the Army Corps of Engineers. At the meeting, The Army Corps of Engineers indicated that they are committed to this project and they are planning to advertise the dredging contract this summer.

To date, the New Hampshire Congressional Delegation has secured \$2.95 million in federal funding for this project. During today's meeting, representatives from Sens. Gregg and Sununu's offices told the Army Corps of Engineers official that they will once again be working together this year to secure more federal dollars that will allow this project to be completed.

After this morning's meeting, Senator Gregg stated, "The Cocheco River dredging project is vital to the City of Dover's downtown waterfront revitalization project. The project has been long on the drawing board and it is time we get the work started. I am pleased that during today's meeting we were able to come to agreement that this needs to get done and the level of commitment to the project - from all sides - was strong. I look forward to continuing to work with my New Hampshire colleagues and the Army Corps of Engineers to see this project through.

Senator Sununu stated, "It is clear from today's meeting that the Army Corps of Engineers has reaffirmed its commitment to move forward with the Cocheco River project. Full dredging of the river at this time will help ensure that Dover's downtown waterfront has every opportunity for economic growth, and I look forward to continuing to work with my colleagues on this critical project."

## ATTENDANCE, DMTF 5 May 04

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